SUPREME COURT, U. S.

Supreme Court, U.S.
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IN THE

Supreme Court of the United States

OCTOBER TERM, 1970

No. 1343

STANLEY GLUCKSMAN,

Petitioner,

—v.—

UNITED STATES OF AMERICA

ON PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

PETITIONER'S REPLY BRIEF

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—*v.*—

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PETITIONER'S REPLY BRIEF

This brief is submitted in reply to the Government's opposition to certiorari.

We respectfully call this Court's attention to the fact that on page "7" of the Government's answering brief in opposition, the Government indicates that there was corroboration of Pincus' testimony by one Kushner. We wish this Court to know that there is absolutely no foundation for that statement as the record indicates the contrary. We stand by our previous assertion that there was absolutely no corroboration of Pincus' testimony.

We would also point out that on page "7" of the Government's brief in opposition to certiorari, the Government is attempting to translate the thought to this Court that the advertence to "bribery", which was highly prejudicial testimony, was in the nature of a remark within purview of the maxim *"de minimis non curat lex"*. This is an incorrect inference and we ask this tribunal to take note of the fact that a perusal of the record will reveal that great harm was done by that very virulent tactic.

To a lay jury a bribery charge, whether "formal" or "informal", would be just as serious and the attempt at a distinction is unbecoming.

We again remind this Court that the Government improperly referred to a bribery charge which resulted in an acquittal.

WE THEREFORE REQUEST THAT CERTIORARI BE GRANTED.

Respectfully submitted,

IRVING ANOLIK,
Attorney for Petitioner.